

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

GERALD BRITTLE,

Plaintiff,

v.

TIME WARNER, INC., et al.

Defendants.

Case No.: 3:16-cv-00908

WARNER BROS. ENTERTAINMENT
INC. and NEW LINE PRODUCTIONS,
INC.,

Counterclaim Plaintiffs,

v.

GERALD BRITTLE and GLOBAL
ACCESS LLC,

Counterclaim Defendants.

STIPULATED ORDER

Warner Bros. Entertainment Inc. (“Warner”) and New Line Productions, Inc. (“New Line Prods.”) (collectively, “New Line”), on the one hand, and Tony DeRosa-Grund (“DeRosa-Grund”), Evergreen Media Holdings, LLC (“EMH”), Silverbird Media Group, LLC (“SMG”), Evergreen Media Group, LLC (“EMG”), Emily Margotta (also known as Emily Margota or Emily Cashuric), Sonja DeRosa-Grund, and the DeRosa-Grund Family Trust (collectively, “DeRosa-Grund Parties”), on the other hand (sometimes referred to collectively herein as the

“the Parties”), by and through their respective counsel of record, hereby stipulate and agree as follows:

WHEREAS, on or about August 18, 2016, DeRosa-Grund and EMG agreed to guarantee all obligations of Gerald Brittle under Gerald Brittle’s Representation Agreement with Marrs & Henry related to the case Gerald Brittle filed against Time Warner Inc., Warner, New Line Prods., RatPac-Dune Entertainment LLC, James Wan, James Wan Productions, Inc., Atomic Monster Incorporated, Chad Hayes, Carey Hayes, David Leslie Johnson, and Gary Dauberman in the Eastern District of Virginia, Case No. 3:16-cv-00908 (“*Virginia Action*”).

WHEREAS, the Parties determined that it was in their mutual best interests to resolve their disputes related to the *Virginia Action*.

WHEREAS, the Court has issued an Order directing DeRosa-Grund to show cause for failure to produce items pursuant to a subpoena.

WHEREAS, the Parties entered into a Settlement Agreement on February 13, 2018, attached hereto as Exhibit 1 (“Settlement Agreement”).

WHEREAS, the Parties agreed that so that there is no doubt about the enforceability of the Settlement Agreement or the Parties’ willing consent to its terms, it shall be presented to the Court, where the parties can confirm their assent to the Settlement Agreement on the record.

WHEREAS, the Parties agreed to submit the Settlement Agreement (with a motion to file it under seal) to Judge Gibney along with this Stipulated Proposed Order.

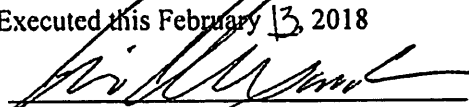
WHEREAS, the Parties hereby submit the Settlement Agreement (with a motion to file it under seal).

NOW, THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE THAT:


- a) All terms of the Settlement Agreement are incorporated into this Stipulated Proposed Order by reference as if fully set forth in this Stipulated Proposed Order;
- b) The Parties have been fully involved in the negotiations and drafting of the Settlement Agreement. The Parties have read the entire document and acknowledge that in executing the Settlement Agreement, they relied on the advice and recommendations of their own independently selected counsel and that they executed the Settlement Agreement freely and voluntarily;
- c) The Settlement Agreement was not entered into under duress, against the Parties' will, or with undue influence;
- d) The Settlement Agreement was entered into for good and sufficient consideration including, but not limited to, the releases specified in the Settlement Agreement;
- e) This Stipulated Proposed Order is not subject to any defenses, offset, counter-claim, or reduction of any kind, including but not limited to claims the DeRosa-Grund Parties may assert against New Line for existing or future conduct;
- f) No appeal may be taken from this Stipulated Proposed Order;
- g) This Stipulated Proposed Order, when entered by the Court, shall have the force and effect of a final judgment and New Line may use it for res judicata and collateral estoppel purposes in any future lawsuits or legal claims asserted by the DeRosa-Grund Parties;
- h) This Court shall retain jurisdiction to enforce the Settlement Agreement and this Stipulated Proposed Order.

IT IS SO STIPULATED BY THE PARTIES:

Executed this February 13, 2018



Craig Alexander
New Line Productions, Inc.



Michelle Schultz
Warner Bros. Entertainment Inc.

Executed this February __, 2018

Tony DeRosa-Grund

Tony DeRosa-Grund
Evergreen Media Holdings, LLC

Tony DeRosa-Grund
Evergreen Media Group, LLC

Emily Margotta
Evergreen Media Group, LLC

Tony DeRosa-Grund
Silverbird Media Group, LLC

Sonja DeRosa-Grund

Emily Margotta

Tony DeRosa-Grund
DeRosa-Grund Family Trust

Emily Margotta
DeRosa-Grund Family Trust

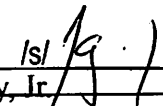
SUBMITTED TO THE COURT BY:

Matt Kline
Counsel for the New Line Parties

Johnie Patterson
Counsel for the DeRosa-Grund Parties

IT IS SO ORDERED, ADJUDGED AND DECREED:

DATED: 3/2/18



John A. Gibney, Jr.
United States District Judge
United States District Judge for the Eastern
District of Virginia

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

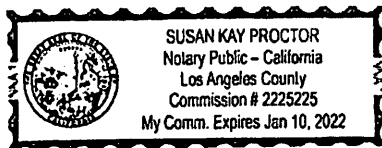
State of California)

County of Los Angeles)On February 13, 2018 before me, Susan Kay Proctor, Notary Public
Date Here Insert Name and Title of the Officerpersonally appeared Craig Alexander
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Susan Kay Proctor
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

IT IS SO STIPULATED BY THE PARTIES:

Executed this February __, 2018

Craig Alexander
New Line Productions, Inc.

Michelle Schultz
Warner Bros. Entertainment Inc.

Executed this February __, 2018

Tony DeRosa-Grund

Tony DeRosa-Grund
Evergreen Media Holdings, LLC

Tony DeRosa-Grund
Evergreen Media Group, LLC

Emily Margotta
Evergreen Media Group, LLC

Tony DeRosa-Grund
Silverbird Media Group, LLC

Sonja DeRosa-Grund

Emily Margotta

Tony DeRosa-Grund
DeRosa-Grund Family Trust

Emily Margotta
DeRosa-Grund Family Trust

AS TO FORM ONLY

SUBMITTED TO THE COURT BY:

Matt Kline
Counsel for the New Line Parties

Johnie Patterson
Counsel for the DeRosa-Grund Parties

IT IS SO ORDERED, ADJUDGED AND DECREED:

DATED:

Hon. John A. Gibney, Jr.
United States District Judge for the Eastern
District of Virginia

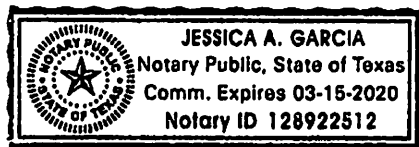
STATE OF TEXAS §

§

COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared **H. Anthony DeRosa-Grund** (Texas Driver's License No. 27400204), known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that such person executed the same for the purpose and consideration therein expressed.

SWORN TO AND SUBSCRIBED TO BEFORE ME UNDER MY HAND AND SEAL OF OFFICE on this 14th day of February 2018.



J. Garcia

Notary Public, State of Texas

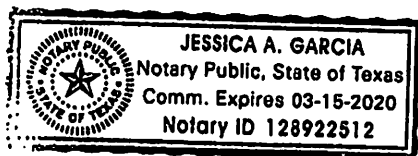
STATE OF TEXAS §

§

COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared **Sonja Helvig DeRosa-Grund** (Texas Driver's License Number: 27895482), known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that such person executed the same for the purpose and consideration therein expressed.

SWORN TO AND SUBSCRIBED TO BEFORE ME UNDER MY HAND AND SEAL OF OFFICE on this 14th day of February 2018.



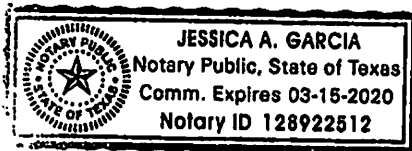
J. Garcia

Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared *Emily Ann Cashuric* (a/k/a Emily Margotta. Texas Driver's License Number: 29376619), known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that such person executed the same for the purpose and consideration therein expressed.

SWORN TO AND SUBSCRIBED TO BEFORE ME UNDER MY HAND AND SEAL OF OFFICE on this 14th day of February 2018.



J. Garcia

Notary Public, State of Texas

EXHIBIT 1

Filed Under Seal as Dkt. 142